

Mario N. Alioto (56433)
Lauren C. Capurro (241151)
TRUMP, ALIOTO, TRUMP & PRESCOTT LLP
2001 Union Street
San Francisco, CA 94123
Telephone: 415-563-7200
Facsimile: 415- 346-0679
Email: maloto@tatp.com
lauren russell@tatp.com

*Class Counsel for the
Indirect Purchaser Plaintiffs*

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

MASTER FILE NO. 4:07-cv-5944-JST
Case No.: 4:13-cv-03234-JST

MDL NO. 1917

This Document Relates to:

INDIRECT PURCHASER ACTIONS FOR
THE 22 STATES

**DECLARATION OF JOSEPH M. FISHER
RE: ADMINISTRATIVE FEES**

Hearing Date:
Time:
Courtroom:
Judge:

1 I, Joseph M. Fisher, declare:

2 **INTRODUCTION**

3 1. Identification. I am the president of The Notice Company, Inc., a Massachusetts
4 corporation with offices at 94 Station Street, Hingham, MA 02043 (“The Notice Company” or
5 “Settlement Administrator”). The Notice Company is principally engaged in the administration of
6 class action settlements and lawsuits pending in courts around the United States, including the
7 dissemination of notice to class members, administering the claims process, and distributing the
8 proceeds of the litigation to the class. I have over 20 years of experience assisting attorneys with class
9 action notices and claims administration. I am also a member in good standing of the bars of the
10 Commonwealth of Massachusetts, the District of Columbia, and the Commonwealth of Virginia. I
11 am over 21 years of age and not a party to this action. I have personal knowledge of the facts set forth
12 herein and, if called as a witness, could and would testify thereto under oath.

13 2. Purpose. I submit this declaration to support disbursement of funds to The Notice
14 Company for its settlement-administration fees from the funds set aside for such purposes by the Court
15 in its Order Granting Motion for Order Authorizing Distribution of Settlement Funds, filed July 29,
16 2022, ECF No. 6040 (“Distribution Order”).

17 3. Establishment of Administration Fund. The Distribution Order required that \$600,000
18 be withheld from the settlement funds to cover costs associated with The Notice Company’s remaining
19 tasks:

20 The Notice Company’s estimate that its remaining work from June 1, 2022 to the completion
21 of final distribution will cost approximately \$600,000 is reasonable, and the Court orders that
22 \$600,000 be withheld on a pro rata basis from the Chunghwa Net Settlement Fund and the Net
Settlement Funds for the other settlements.

23 Distribution Order at ¶ 13. The Notice Company withheld \$600,000 from the settlement funds and
24 placed this amount in a segregated, interest-bearing account (the “Administration Fund”). To date
25 there have been no disbursements from the Administration Fund. The total amount available in the
26 Administration Fund as of January 31, 2024, including interest, was \$621,178.43.

27 4. Work Performed Since June 1, 2022. Following the Distribution Order, The Notice
28 Company has continued its administrative responsibilities, including the following tasks:

1 (a) The Settlement Administrator issued check payments to 143,099 class members
2 who filed valid claims, representing an aggregate payment amount of \$410,129,476.32. All
3 payments were issued as paper checks, with 54,220 payments sent to claimants care of third-
4 party filers.

5 (b) The Settlement Administrator issued total incentive payments of \$450,000,
6 comprised of payments of \$15,000 for each of 25 Court-appointed class representatives and
7 \$5,000 for an additional 15 named plaintiffs not appointed by the court but who acted as state
8 representatives for a period of time before being replaced, in accordance with the Court's Order
9 Authorizing Distribution of Incentive Awards to Class Representatives and Reimbursement of
10 Expenses to Class Counsel, filed August 9, 2022, ECF No. 6046.

11 (c) The Settlement Administrator established and monitored a positive-pay system with
12 the issuing bank to assure that every check presented for payment is verified prior to the release
13 of funds. Positive pay prevents payment of duplicate checks and helps to protect against fraud.

14 (d) Prior to issuing checks, the Settlement Administrator validated and updated
15 addresses through the Address Change Service (ACS) and National Change of Address
16 Linkage (NCOA^{Link}) service of the U.S. Postal Service for all check recipients, resulting in
17 updated addresses for 10,794 claimants.

18 (e) The Settlement Administrator responded to requests from approved claimants to
19 reissue check payments.

20 (f) The Settlement Administrator followed up on 11,458 checks returned as
21 undeliverable by using third-party address searches.

22 (g) The Settlement Administrator completed a recency update through an additional
23 third-party vendor, identifying updated addresses for over 18,406 claimants after disbursement
24 began.

25 (h) The Settlement Administrator reissued over 22,500 settlement checks.

26 (i) The Settlement Administrator disbursed funds, when and as directed by Class
27 Counsel, from the \$10,000,000 reserve account established and maintained pursuant to the
28

Distribution Order at ¶ 14. The total amount available in the reserve account as of January 31, 2024, net of disbursements and including interest, was \$9,461,749.11. Interest continues to accrue.

(j) The Settlement Administrator maintained and continues to maintain active email accounts and toll-free phone lines dedicated to receiving and responding to inquiries from members of the Settlement Class and their representatives.

5. Unpaid Invoices. The Notice Company has submitted to Class Counsel invoices for the above-described work performed during the period from June 1, 2022, to July 31, 2023, totaling \$509,822.06. These invoices have not yet been paid pending Court approval.

6. Remaining Work. The Notice Company's remaining responsibilities as the Settlement Administrator include the following:

(a) The Settlement Administrator is working on distributing the residual remaining in the Net Settlement Fund in accordance with the Distribution Order at ¶ 8(e).

(b) The Settlement Administrator will be returning the unused portion of the reserve fund to those claimants from which it was withheld in accordance with the Distribution Order at ¶ 14.

(c) The Settlement Administrator will prepare a final accounting of the Settlement Funds.

7. Funds Remaining. Payment of The Notice Company's currently outstanding invoices from the Administration Fund would leave a net balance of \$111,356.37. Amounts remaining in the Administration Fund are sufficient to pay for the estimated remaining administration work as described above.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed at Hingham, Massachusetts, this 22nd day of February 2024.


JOSEPH M. FISHER